

ANNEX A (JOINT CHIEFS OF STAFF (JCS))

REFERENCES:

- a. Public Law 91-121
- b. Public Law 91-441
- c. JSCP, Annex B and Annex F
- d. JOPS

1. **GENERAL** This Annex explains U.S. policy on chemical warfare and provides information on actions taken by the Joint Staff in support of toxic chemical munitions (TCM) deployment.

2. **POLICY** The United States renounces the first use of lethal and incapacitating weapons as set forth in the 1925 Geneva Protocol and ratified by the United States in 1975. -The United States supports the objective of obtaining a multinational, verifiable treaty prohibiting the development, production, and stockpiling of chemical munitions. Until such a **treaty** is **attained**, the United States will pursue deterrence through a strong defensive posture and a credible retaliatory capability. If deterrence fails, the U.S. reserves the right to retaliate with chemical munitions in response to an enemy's use against U.S. or allied forces.

3. **REQUESTS FOR DEPLOYMENT**

(a) The Emergency Action Procedures of the Joint Chiefs of Staff (EAP-JCS) prescribe the emergency action messages and procedures used by JCS to maintain command and control of chemical weapons. The **CINCs** initiate requests to the Joint Chiefs of Staff for deployment of TCM (IAW JCS EAP, Vol. I, Chapter VI).

(b) **CINCs** may request TCM **deployment**:

(1) During peacetime if propositioning stocks are considered necessary for deterrence and national security.

(2) During periods of increased tension if intelligence indicates that chemical munitions may be used against U.S. or allied forces.

(3) Prior to initiation of open hostilities.

(4) After initiation of open hostilities.

(c) The **CINCs'** request for deployment should include:

(1) TCM shipment lift priorities.

(2) Type and quantity of **TCM** required.

(3) Potential airflow and seafloor trade-offs necessary to accommodate the requested **TCM** flow.

(d) The JCS reviews the **CINC's** request for deployment and recommends approval or disapproval to the Secretary of Defense. The review consists of a decision paper that is coordinated within the Joint Staff and with each Service, and/or a decision briefing to the Joint Chiefs of Staff (comprised of the Chairman, JCS, and the Service Chiefs). The JCS commendation is then forwarded to the Secretary of Defense for approval or disapproval.

4. **APPROVAL AUTHORITY** The Secretary of Defense may authorize the transportation and deployment of TCM after complying with the provisions of Public Law 91-121 as amended by Public Law 91-441. In a state of declared war or national emergency, the Public Law restrictions may be suspended by the **President**.

5. **NOTIFICATION OF APPROVAL OR DISAPPROVAL**

(a) Upon receipt of the decision of the Secretary of Defense, the Joint Chiefs of Staff informs the requesting **CINC** of the outcome of the request.

(b) The Secretary of Defense approval will be passed from the Joint Chiefs of Staff to the Services, Service logistical agencies, and to the Service ammunition national **inventory** control point as evidence that shipment of the TCM is approved. The quantity and type of TCM approved for deployment is a function both of the **CINC's** request and the Secretary of Defense's approval.

6. **APPORTIONMENT** For deliberate planning, the Joint Strategic Capabilities Plan (JSCP), Annex B provides the apportionment methodology for worldwide TCM stocks, which are detailed in JSCP, Annex F. The type and quantity of unitary TCM apportioned to **CINC's** will be provided to **USTRANSCOM**, **AMCCOM**, and the Service **ICPs**.

7. **ALLOCATION** During execution, the allocation of unitary TCM will be accomplished by the Joint Material Priorities and Allocations Board in accordance with **MJCS-6-83**, "Conventional Ammunition Allocation Policies and Procedures."

8. **DEPLOYMENT PLANNING** **SM-362-84**, "Joint Operation Planning System (**JOPS**), Volume I," prescribes that time-phased chemical deployment requirements should be prepared from information obtained from the Service component commanders. The supported commander will consolidate deployment requirements into a single time-phased list. A **TPFDD** file will be prepared from this list.

9. **DEPLOYMENT MONITORING** The sensitivity of TCM deployments requires National Command Authorities have the capability to monitor TCM deployments from their origins to theater ports of **debarkation**.